

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CARRELL DEMAR HUNTER,

Defendant.

8:05CR202

ORDER

This matter is before the court on defendant's for an extension of time to file pre-trial motions (#11). The motion alleges some cause for a continuance, but does not state the length of extension sought. Nor has the defendant filed a waiver of speedy trial as required by NECrimR 12.3(a).¹ Accordingly,

IT IS ORDERED:

1. Defendant's MOTION (#11) is held in abeyance pending compliance with NECrimR 12.1.
2. Defendant shall electronically file the required waiver before the close of business on **June 21, 2005**.
3. In the future, counsel shall comply with NECrimR 49.2, which requires the electronic filing of pleadings and other documents by attorneys who practice before this court.

DATED June 14, 2005.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge

¹The rule provides:

(a) Time of Filing. At the arraignment, the magistrate judge shall set deadlines for requesting discovery and filing pretrial motions. These dates shall be strictly enforced unless the court grants an extension of time. Absent good cause shown, a motion for an extension of time to file pretrial motions must be made within the time set for the filing of motions. Motions for extensions of time to file pretrial motions will be granted only upon a showing of good cause. If the defendant is a moving party, the motion for extension of time to file pretrial motions shall be accompanied by the defendant's affidavit or declaration (see 28 U.S.C. § 1746) stating that defendant:

- (1) Has been advised by counsel of the reasons for seeking a continuance;
- (2) Understands that the time sought by the extension may be excluded from any calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.;
- (3) With this understanding and knowledge, agrees to the filing of the motion; and
- (4) Waives the right to a speedy trial.